

# HELM

FINANCIAL CORPORATION

One Embarcadero Center • San Francisco, CA 94111

415/398-4510

0-214A017

VIA AIR COURIER

July 30, 1990

Ms. Mildred Lee  
Recordations Unit  
Interstate Commerce Commission  
12th & Constitution Avenue, N.W.  
Washington, D.C. 20423

RECORDATION NO. 16717-B FILED 1425

AUG 2 1990 - 11 55 AM

INTERSTATE COMMERCE COMMISSION

Dear Ms. Lee:

Enclosed are two (2) Original Amendment 1 to Lease of Railroad Equipment dated November 28, 1989.

Please file this supplement as ICC Recordation #16717-B. The filing fee of \$15 is enclosed. Thank you.

Sincerely,

*Karen Staudenmaier*  
Karen Staudenmaier  
Fleet Operations Administrator

KS:po  
Enclosures

Aug 2 4 47 AM '90

Interstate Commerce Commission  
Washington, D.C. 20423

8/9/90

OFFICE OF THE SECRETARY

Karen Staudenmaier

Helm Financial Corporation

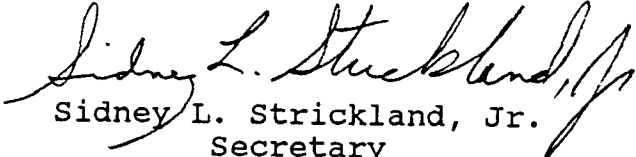
One Embarcadero Center

San Francisco, California 9411 . . . . .

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 8/2/90 at 11:55am , and assigned recordation number(s). 16717-B

Sincerely yours,

  
Sidney L. Strickland, Jr.  
Secretary

AUG 2 1990 -11 55 AM

AMENDMENT 1  
TO  
LEASE OF RAILROAD EQUIPMENT  
DATED NOVEMBER 28, 1989

INTERSTATE COMMERCE COMMISSION

This Amendment to that certain Lease of Railroad Equipment, "Lease", made and entered into as of the 28th of November, 1989, by and between Helm Financial Corporation, a California Corporation, and Florida Rock Industries, a Florida Corporation "Lessee" covering fifty (50) open top hoppers.

NOW, THEREFORE, for and in consideration of the mutual covenants contained in the Lease and this Amendment, the parties agree as follows:

1. Annex A attached hereto shall be, and hereby is, substituted for the Annex A attached to the Lease and from and after the date hereof, whenever the term Unit(s) is used in the Lease, or any amendment thereto, such reference shall be deemed to refer to the twenty-five (25) open top hoppers shown on Annex A hereto attached.
2. Paragraph 4 of the aforesaid Lease shall be modified as follows:
4. Term of Lease: "...The Fixed Term of the Lease with respect to each Unit shall be extended for [REDACTED] months from the expiration date of [REDACTED] thereby extending the Lease through and including [REDACTED]

All other terms and conditions of the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, the Lessor and Lessee have caused four original counterparts of this Amendment to be executed as of the date above written.

FLORIDA ROCK INDUSTRIES

By: John D. BalunIts: President

HELM FINANCIAL CORPORATION

By: [Signature]Its: President

STATE OF FLORIDA )  
 ) §  
COUNTY OF DUVAL )

On this 3rd day of July, 1990, before me personally appeared John D. Baker II, to me personally known, who, being by me duly sworn, says that he is President of Florida Rock Industries, Inc. that said instrument was signed and sealed on behalf of said corporation and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Donna L. Spinks  
Notary Public

My Commission Expires: 3-27-94

[Notarial Seal]

STATE OF California )  
 ) §  
COUNTY OF San Francisco )

On this 27<sup>th</sup> day of July, 1990, before me personally appeared Richard C. Murchner to me personally known, who, being by me duly sworn, says that he is President of Helm Financial of \_\_\_\_\_ that said instrument was signed and sealed on behalf of said corporation by authority of its President and Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Karen Studenmaier  
Notary Public

My Commission Expires: July 26, 1993

[Notarial Seal]

**ANNEX A**

**to**

**Lease of Railroad Equipment**

**Dated as of November 28, 1989**

<u>Equipment Description</u>	<u>Equipment Numbers</u>
Twenty-five 100 Ton, 3600 cubic foot capacity, open top hopper cars.	HLMX 40204
	40205
	40206
	40207
	40208
	40220
	40221
	40222
	40223
	40224
	40225
	40229
	40230
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40267	